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*Attorneys for Plaintiffs E\*TRADE Savings  
 Bank and E\*TRADE Mortgage Corporation*

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

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 E\*TRADE SAVINGS BANK; AND :  
 E\*TRADE MORTGAGE CORPORATION, :

*Plaintiffs,* :

-against- :

NATIONAL SETTLEMENT AGENCY, INC.; :  
 FAST TRACK TITLE AGENCY LLC.; :  
 STEVEN M. LEFF; RACHEL M. LEFF; AND :  
 RICHARD A. LEFF, :

*Defendants.* :  
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Civil Action: 07-CV-08065 (LTS)(GWG)

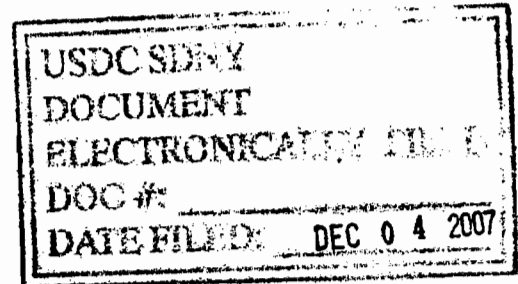
**ORDER TO SHOW CAUSE  
 WHY DEFAULT JUDGMENT SHOULD  
 NOT BE ENTERED AGAINST  
 DEFENDANTS NATIONAL  
 SETTLEMENT AGENCY, INC. AND  
 STEVEN M. LEFF**

Upon the Declaration of Lisa M. Campisi, dated November 30, 2007, and the exhibits attached thereto, and all of the papers, pleadings and proceedings herein, and sufficient cause appearing therefore, it is hereby

**ORDERED** that Defendants National Settlement Agency, Inc. and Steven M. Leff show cause before the Honorable Laura Taylor Swain, in Courtroom 17C of the United States

Courthouse, 500 Pearl Street, New York, New York, on the 20<sup>th</sup> day of December 2007, at

4:00 a.m./p.m., or as soon thereafter as counsel may be heard, why a judgment by default should not be entered in favor of plaintiffs E\*TRADE Savings Bank and E\*TRADE Mortgage



Corporation, jointly and severally, pursuant to Federal Rules of Civil Procedure 54(b) and 55(b)(2) and Local Civil Rule 55.2(b) as follows:

1. On the First Claim for Relief (Breach of Contract) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65;

2. On the Second Claim for Relief (Conversion) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65;

3. On the Third Claim for Relief (Breach of Fiduciary Duty) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65;

4. On the Fourth Claim for Relief (Fraud) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65;


5. On the Fifth Claim for Relief (Negligence) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65;

6. On the Sixth Claim for Relief (Unjust Enrichment) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65;

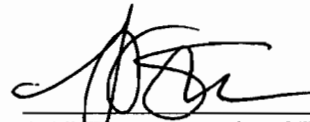
7. On the Seventh Claim for Relief (Money Had and Received) in the operative complaint filed in this matter, judgment in favor of E\*TRADE and against defendants National

Settlement Agency, Inc. and Steven M. Leff, jointly and severally, in the amount of \$3,007,914.65; and

8. Providing any other relief that this Court deems just and proper, together with costs, disbursements and attorney's fees incurred in this action; and it is further

**ORDERED** that service of a copy of this order and supporting papers: (1) by first class mail upon defendant National Settlement Agency, Inc. at its last known address (404 Park Avenue South, New York, New York 10016); (2) by overnight delivery on defendant Steven M. Leff's counsel (Michael L. Soshnick, Esq., 190 Willis Avenue, Suite 112, Mineola, New York 11501); and (3) by electronic mail upon counsel for defendants Richard A. Leff, Rachel M. Leff and Fast Track Title Agency LLC on or before 5:00 a.m./p.m. on December 6, 2007,  shall be deemed good and sufficient service thereof.

Dated: December 4, 2007  
New York, New York

  
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LAURA TAYLOR SWAIN  
United States District Judge 